

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 20628.002
INTERNATIONAL APPLICATION NO. PCT/EP2004/008865	INTERNATIONAL FILING DATE 6 August 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) To 10/567021
TITLE OF INVENTION Method for Purifying Mesenchymal Stem Cells		
APPLICANT(S) FOR DO/EO/US Claudia LANGE and Axel Rolf ZANDER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US); however, a courtesy copy is attached. </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4) and a courtesy copy is enclosed. </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: a copy of the Published International Search Report (2005/015151A3) a copy of Form PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document), a copy of Form PCT/IB/308 (Notice Informing the Applicant of the Communication of the International Application), a copy of Form PCT/IB/332, International Preliminary Examination Report (including new claims 1-7), and a copy of a Request to Record a Change of Applicant</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) To Be Assigned 10/56702		INTERNATIONAL APPLICATION NO. PCT/EP2004/008865		ATTORNEY'S DOCKET NUMBER 20628.002	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee.....		\$300.00		\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee.....		\$200.00		\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee		\$500.00		\$ 500.00	
TOTAL OF ABOVE CALCULATIONS =		\$1000.00		\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (including sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
** - 100 =	0 / 50 =	0		x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	7 - 20 =	0	x \$50.00	\$ 00.00	
Independent claims	2 - 3 =	0	x \$200.00	\$ 00.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00		\$	
		TOTAL OF ABOVE CALCULATIONS =		\$ 1,130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 565.00	
		SUBTOTAL =		\$ 565.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$ 0.00			
		TOTAL NATIONAL FEE =		\$ 565.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.21). \$40.00 per property		+ \$			
		TOTAL FEES ENCLOSED =		\$ 565.00	
				Amount to be refunded:	\$
				Amount to be charged	\$ 565.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 50-2387 in the amount of \$ <u>565.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2387. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
ARNOLD & PORTER LLP					
Attn: IP Docketing					
555 Twelfth Street, N.W.					
Washington, DC 20004					
Tel.: 202-942-5000					
Fax: 202-942-5999					
 SIGNATURE					
David R. Marsh/Kristan L. Lansbery					
NAME					
41,408/53,183					
REGISTRATION NUMBER					

ARNOLD & PORTER LLP

202.942.5000
202.942.5999 Fax

555 Twelfth Street, NW
Washington, DC 20004-1206

February 3, 2006

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. National Phase Application: To Be Determined
Based on International Application No. PCT/EP2004/008865
International Filing Date: 6 August 2004
Appln. No.: To Be Assigned
Filed: Herewith
Title: Method for Purifying Mesenchymal Stem Cells
Applicants: Claudia LANGE *et al.*
Atty. Docket: 20628.002

Sir:

The following documents are forwarded herewith for appropriate action by the Receiving Office of the U.S. Patent and Trademark Office (RO/US):

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (in duplicate);
2. a copy of the Published International Application entitled:

Method for Purifying Mesenchymal Stem Cells

and naming as inventors:

Claudia LANGE and Axel Rolf ZANDER;

the application consisting of:

a. a specification containing:

- (i) 18 pages of a description prior to the claims;
- (ii) 2 pages of claims;

ARNOLD & PORTER LLP

Commissioner for Patents
Atty. Dkt.: 20628.002
February 3, 2006
Page 2

- (iii) a one page abstract;
- (iv) 8 pages of drawings (Figures 1-6b);
- 3. an English language translation of the published international application;
- 4. a Preliminary Amendment;
- 5. a copy of Published International Search Report (WO 2005/015151 A3);
- 6. a copy of Form PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 7. a copy of Form PCT/IB/308 (Notice Informing the Applicant of the Communication of the International Application);
- 8. a copy of Form PCT/IB/332 (Information Concerning Elected Offices Notified of Their Election);
- 9. a copy of Form PCT/IPEA/416 (Notification of Transmittal of International Preliminary Report on Patentability);
- 10. a copy of Form PCT/IPEA/409 (International Preliminary Report on Patentability including new claims 1-7);
- 11. a copy of a Request to Record a Change of Applicant; and
- 12. two (2) return postcards.

Applicants request that \$565.00 for the following fees be charged to Deposit Account No. 50-2387, referencing matter number 20628.002:

\$ 500.00 basic filing fee (small entity)
\$ 65.00 declaration surcharge for late filing (small entity)

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

ARNOLD & PORTER LLP

Commissioner for Patents
Atty. Dkt.: 20628.002
February 3, 2006
Page 3

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees, other than the above fees (\$565.00) are due in conjunction with this filing. However, if any additional fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 20628.002. A duplicate of this letter is enclosed.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)
Kristan L. Lansbery (Reg. No. 53,183)

Attachments